



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FREDERICK D. PIÑA,

Plaintiff,

-against-

THE UNITED STATES OF AMERICA,

Defendant.

20-CV-1371 (PAE) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

The Court has received and reviewed plaintiff's "Motion for Permission" (Dkt. 112), seeking leave to "submit evidence into public record," specifically, a video recording illustrating the difficulties of "life with permanent neurological damages[.]"

Plaintiff does not need the Court's permission to provide the Government with video evidence (or any other evidence) relevant to the parties' claims or defenses. The Court, however, only receives evidence when submitted in support of or in opposition to a pending motion, or at a trial or other evidentiary hearing. Moreover, the Court is not technically equipped to file video evidence on the public docket.

Because no substantive motion is pending, much less any motion to which plaintiff's video evidence could be relevant, his request for leave to submit evidence into the public record is DENIED. This Order is without prejudice to plaintiff's right to resubmit the evidence in one of the circumstances discussed above.¹

Dated: New York, New York
January 12, 2023

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Barbara Moses", written over a horizontal line.

BARBARA MOSES
United States Magistrate Judge

¹ The Court notes that the second page of plaintiff's motion is unrelated to the stated reason for the filing. Instead, plaintiff uses that page to recycle – yet again – his repeatedly-rejected attacks on defendants for making (and winning) a motion to dismiss plaintiff's claim for \$146 million in lost business opportunity damages. The Court will not consider that portion of plaintiff's motion, and defendant need not respond. *See* Opinion & Order dated Dec. 27, 2022 (Dkt. 109) at 5 (denying plaintiff's most recent motion to reinstate his lost business opportunity claim and barring him from filing any further motions to reinstate that claim "without first obtaining Court approval by submitting a one-page letter showing cause why the submission should be accepted").